

REMARKS

This application has been reviewed in light of the Office Action dated March 9, 2009 and the Advisory Action dated June 18, 2010. Claims 38, 40 to 44, 61, and 62 are presented for examination, of which Claims 38, 40, 61, and 62 are in independent form. Claims 27 to 37, 39, and 45 to 60 have been previously withdrawn from consideration. Claims 38 and 40 to 42 have been amended to define more clearly what Applicants regard as their invention. New Claims 61 and 62 have been added to provide Applicants with an even greater scope of protection. Favorable consideration is requested.

In the Office Action dated March 9, 2010, Claims 38 and 40 to 44 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,400,103 (*Adamson*). Applicants submit that independent Claims 38 40, 61, and 62, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

Claim 40 is directed to a method for operating a lamp. The method includes, at a central control unit, issuing commands for the selection and setting of an operational mode of a lamp operating device. The method also includes, at a local control unit, issuing commands for the control of the lamp. The method further includes, at the lamp operating device, receiving and interpreting at least one command from the central control unit and, in response to the command from the central control unit, selecting and setting an operational mode of the lamp operating device. Also, the method includes, at the lamp operating device, receiving and interpreting the at least one command from the local control unit and operating the lamp independently based on both the selected operational mode of the lamp operating device and the received command from the local control unit.

One feature of Claim 40 is that the operation of the lamp is independently based on the selected operational mode of the lamp operating device and based on the received command from the local control unit. With regard to the operational mode, another feature of Claim 40 is that, at the lamp operating device, at least one command from the central control unit is received and interpreted, and in response to the command from the central control unit, the operational mode of the lamp operating device is selected and set. (Emphasis added) Thus, operation of the lamp is carried out on the basis of two commands: a command from the central control unit; and another command from the local control unit, the latter of which is used to operate the lamp in the selected operational mode of the lamp operating device. That is, a selection of an operational mode of the lamp operating device is not sufficient to fully operate the lamp. A command from the local control is also needed to fully operate the lamp.

Applicants submit that nothing has been found in *Adamson* that discloses or suggests the above-identified subject matter of Claim 40.

The Office Action equates the lighting devices 242, 226, 228, and 230 of *Adamson* with the “lamp” referred to in Claim 40. See, e.g., Office Action at page 2, paragraph 2, lines 3 and 4. Also, the Office Action equates control ballasts 240, 224, 222, and 220 of *Adamson* with the “lamp operating device” referred to in Claim 40. See, e.g., Office Action at page 2, paragraph 2, lines 4 and 5. Moreover, the Office Action equates the combination of the communication interface 202, rotary dimmer 204, and the lighting controller 206 of *Adamson* with the “central control unit referred to in Claim 40. See, Office Action at page 2, paragraph 2, lines 5 and 6. In addition, the Office Action equates the combinations of the dimmer 244/lighting controller 238 and rotary potentiometer control 208/lighting controller 210 with the “local control unit” referred to in Claim 40. See, e.g., Office Action at page 3, line 1. The Office

Action also states at page 3:

“... the local control unit 208/210 can control a number of sub-control units [sic] (216, 218 and 212, 214) based on the available operational mode selected by the central control unit (col. 5, lines 50-67 and col. 6, lines 1-8) to control the lamp, wherein the lamp operating device is operable in different operational modes (low/high/on/off/intensity due to rotary dimmers setting), and *the selection and setting of an operational mode for the lamp operating device is effected externally (via rotary dimmers 204, 244, 208, 216, 212)*, wherein the selection and setting of the operational mode for the lamp operating device is effected by means of a transmission of an external control command, ...”

First of all, the Office Action has failed to even address the above-identified features of Claim 40, either in the above statement or elsewhere in the Action, let alone has the Office Action cited any particular portion of *Adamson* as teaching those features. Also, the Office Action concedes that the, “the selection and setting of an operational mode for the lamp operating device is effected externally (via rotary dimmers 204, 244, 208, 216, 212)”, i.e., rather than at the control ballasts alleged by the Action to correspond to the lamp operative device of Claim 40. See, Office Action at page 3, lines 6 and 7. Emphasis added. Indeed, nothing has been found, or pointed out, in *Adamson*, that would teach or suggest that at the lamp operating device, at least one command from the central control unit is received and interpreted, and in response to the command from the central control unit, the operational mode of the lamp operating device is selected and set as set forth in Claim 40. For the above reasons alone, Claim 40 is allowable over *Adamson*.

Furthermore, Applicants respectfully disagree with the Office Action’s following statement: “the selection and setting of the operational mode for the lamp operating device is effected by means of a transmission of an external control command”. Apparently in *Adamson*, lamps (242, 226, 228, and 230) are driven by control ballasts (240, 224, 222, and 220, respectively). The control ballasts (240, 224, 222, and 220) are controlled by lighting controllers

238, 218, and 214 on the basis of information received as an input either from a dimmer (244, 216, and 212, respectively), or from information received from another controller (e.g., controllers 206 and 210), depending on which signal is passed through the controllers 206, 210, 214, 218, and 238. As understood from *Adamson*, the protocol of the input signal forwarded to each of the controllers 206, 210, 214, 218, and 238 is invariant. See, e.g., col. 4, lines 22-24. However, even if the various controllers 206, 210, 214, 218, and 238 themselves be deemed to operate in one of different modes, the mode of each of those controllers cannot be selected based on a command from any purported "central control unit" (e.g., 202, 204, 206). See, e.g., *Adamson*, Fig. 2, ref. no. 232. Indeed, contrary to what is asserted in the Office Action, the communication interface 202, rotary dimmer 204, and lighting controller 206 of *Adamson* do not issue at least one command for selection and setting of an operational mode, and thus cannot anticipate the central control unit of Claim 40.

Accordingly, for these reasons as well, Claim 40 is allowable over *Adamson*. If the Examiner disagrees, he is respectfully requested to explain how *Adamson* can anticipate the above features of Claim 40 where *Adamson's* lamps are operated based on information from a rotary dimmer 244, 216, and 212 *or* from a controller 238, 218, 214, but not both.

Claim 38 is directed to a lamp operating device constructed to operate a lamp. The lamp operating device is operable in one of a plurality of selectable operational modes. The lamp operating device is constructed to receive a selection of the operational mode provided by a central control unit. The lamp operating device is also constructed to interpret at least one command provided by a local control unit. The interpretation of the command provided by the local control unit is based on the operational mode selected by the central control unit, to control the lamp.

Accordingly, the lamp operating device is constructed to operate the lamp based on at least two commands: a first command interpreted based upon an operational mode of the lamp operating device; and a second command which is used in the selection of the operation mode. For similar reasons as those given above, nothing in *Adamson* is seen to teach or suggest these features of Claim 38.

Accordingly, Claim 38 is also allowable over *Adamson*.

New independent Claims 61 and 62 are a system and apparatus claim, respectively, and recite features similar in many relevant respects to those discussed above with respect to Claim 40. Claims 61 and 62 are believed to be patentable over *Adamson* for at least the same reasons as discussed above in connection with Claim 40.

The other claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable over *Adamson* for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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